

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN H. HEALY,

No. C 07-6190 JF (PR)

Plaintiff,

ORDER CORRECTING ERRONEOUS
FILING; CLOSING CASE;
INSTRUCTIONS TO CLERK

v.

CALIFORNIA DEPT OF
CORRECTIONS, et al.,

Defendants.

/ (Docket No. 2)

Plaintiff, proceeding pro se, filed this civil rights complaint pursuant to 42 U.S.C. § 1983 and an application to proceed in forma pauperis on December 6, 2007. Plaintiff filed an earlier civil rights complaint with this Court, case no. C 07-5790 JF (PR), which alleges the same claims against the same Defendants as the instant complaint. It appears the instant complaint was mistakenly received and opened as a new case in this action. Because the instant case was opened erroneously, the Clerk shall terminate Plaintiff's motion to proceed in forma pauperis (docket no. 2) and close the file. The Clerk shall copy all documents in the instant case and transfer the documents to case no. C 07-5790 JF (PR).

Order Correcting Erroneous Filing; Closing Case; Instructions to Clerk
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1 The Court will review Plaintiff's complaints in a separate written order in the earlier case,
2 C 07-5790 JF (PR).

3 IT IS SO ORDERED.

4 DATED: 12/14/07


JEREMY FOGEL
United States District Judge

United States District Court
For the Northern District of California

United States District Court
For the Northern District of California

1 A copy of this ruling was mailed to the following:

2 John H. Healy

3 SF Jail 2329447

850 Bryant Street

4 San Francisco, CA 94103

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Order Correcting Erroneous Filing; Closing Case; Instructions to Clerk
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